



SOUTH CAROLINA DEPARTMENT OF PROBATION, PAROLE, AND PARDON SERVICES

PPP RETIRED AGENT FIREARMS CARRYING INFORMATION\PROCEDURES

The Law Enforcement Officers Safety Act of 2004 (H.R. 218) allows qualified retired law enforcement officers to carry concealed firearms by exempting them from any state laws prohibiting the carrying of concealed firearms. Additional information can be found at this website: <http://www.leaa.org/218/218text.html>

As per H.R. 218, “qualified retired law enforcement officer” means an individual who:

- ✓ retired in good standing from service with a public agency as a law enforcement officer, other than for reasons of mental instability;
- ✓ was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of or the incarceration of any person for, any violation of law, and had statutory powers of arrest;
- ✓ was regularly employed as a law enforcement officer for an aggregate of 15 years or more;
- ✓ has a nonforfeitable right to benefits under the retirement plan of the agency
- ✓ during the most recent 12-month period, has met the State’s standards for training and qualification for active law enforcement officers to carry firearms;
- ✓ is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and
- ✓ is not prohibited by Federal law from receiving a firearm.

The Department will offer opportunities annually for retired Agents to meet the requirements of HR 218;

1. The qualification session will include shooting the Department’s course of fire AND annual Criminal Justice Academy legal training;
2. Retired Agents must have been issued by SCDPPPS Human Resources, and bring with them to the training session, their Agency issued ID with RETIRED stamped on it. It is the responsibility of the retiree to request this ID from Human Resources.
3. Retired Agents must furnish any and all necessary ammunition;
4. To maintain certification, retired Agents must recertify annually within a 12-month period;
5. The Department will maintain records of retired Agents annual firearms qualification course of fire;

6. The Department accepts no liability for the retired Agents participation in the course of fire or in any use of the firearm.
7. All classes will be held in Columbia, SC.

PROCEDURES FOR ENROLLING IN A CERTIFICATION CLASS

All training sessions will be conducted in Columbia and the session dates and times will be posted on the Department's website: http://www.dppps.sc.gov/parole_agents_training.html The first sessions will be held in early 2011 and will be posted on the website when they are confirmed.

Contact Melissa Ray in Training Compliance and Professional Development at least five business days before your desired training session to enroll.

EMAIL: Mfricker@ppp.state.sc.us

TELEPHONE: (803) 734-9234

QUESTIONS: Please contact Melissa Ray in Training Compliance and Professional Development or Randy Bumgarner in the Special Operations Division (EMAIL: Rbum@ppp.state.sc.us TELEPHONE: (803) 734-9233) if you have any questions.

CLASS 1 LAW ENFORCEMENT CERTIFICATION

The SC Criminal Justice Academy requires that you must be currently employed with a law enforcement agency to maintain your Class 1 LEO certification. This means that the day you separate from the Agency and are not employed with another law enforcement agency, you **no longer** retain your Class 1 LEO certification. To regain it, you must be hired by another law enforcement agency. What training you'll be required to complete is dictated by the length of separation. Those requirements are:

- LESS THAN 1 YEAR AFTER SEPARATION DATE: catch up any required annual training: CDV, legals, firearms, etc.
- MORE THAN 1 YEAR BUT LESS THAN 3 YEARS AFTER SEPARATION DATE: attend a limited basic class at the CJA
- MORE THAN 3 YEARS AFTER SEPARATION DATE: must attend a full CJA basic class

SC STATE CONSTABLE'S COMMISSION

You may want to retain a limited law enforcement certification and one option available to you is a SC State Constable's Commission.

The SC Law Enforcement Division (SLED) is responsible for the management of the SC State Constable Program and their website for the Constable Program is : <http://constables.sled.sc.gov/PolProc.htm> Please visit this website for more information regarding the SC State Constable Program.

Obtaining and maintaining a Constable's Commission could reduce the amount of training you'd need to complete to regain your Class 1 certification if you chose to do so in the future.

If you have any questions regarding the SC State Constable Program, please contact SLED.

The statute that addresses this is listed below.

SECTION 23-23-70. Certificates to be issued to certain officers appointed as chiefs and certain retired law enforcement officers.

- (A)** A retired law enforcement officer with twenty years or more law enforcement experience who subsequently serves as a magistrate or municipal judge of this State and is or has been appointed chief of a municipal department by the governing body thereof must be issued a certificate as a law enforcement officer pursuant to Section 23-23-60 if that person completes the legal course for Class I certified officers taught by the Criminal Justice Academy. This provision applies to a retired law enforcement officer of this State with twenty years or more law enforcement experience whose certificate has lapsed due to a three-year break in service who subsequently is appointed chief of a municipal department by the governing body thereof.
- (B)** A retired South Carolina law enforcement officer must be issued a certificate pursuant to Section 23-23-60, authorizing him to serve as a certified law enforcement officer, if the officer meets the following qualifications at the time of application:
- (1)** the officer must have been retired pursuant to Section 9-11-60 or 9-11-70 for not more than ten years, except that the department may certify an officer who has been retired for more than ten years if the officer provides evidence satisfactory to the director that he has received law enforcement training and experience sufficient to qualify him to serve as a certified law enforcement officer;
- (2)** within the previous three years, the officer must have completed a legal course and all other training programs for certified officers mandated by law and taught by the Criminal Justice Academy; and
- (3)** the officer must have maintained a constable commission during his retirement, without interruption.
- (C)** A retired federal law enforcement officer must be issued a certificate pursuant to Section 23-23-60, authorizing him to serve as a certified law enforcement officer, if the officer provides evidence satisfactory to the director that he has received law enforcement.